

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**HARRISON FRANKLIN and  
WAYNE HART,**

Plaintiffs,

**Case No. 05-C-916**

**-vs-**

**DAVID BETH, OFFICER ROGER,  
NURSE DALE, CAPTAIN PRESTON,  
OFFICER SHIMKUS, SGT. JOHNSON,  
VISITING NURSE'S ASSOCIATION, and  
JOHN DOE 1-50, JANE DOE 1-50,**

Defendants.

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**DECISION AND ORDER**

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This action came on a motion for summary judgment before the Court, the Honorable Rudolph T. Randa, District Judge presiding, by defendant Visiting Nurse's Association, and the issues having been duly briefed and a written decision having been duly rendered on December 5, 2007; and the Court having granted visiting Nurse's Association motion for summary judgment and dismissed it from this action, with prejudice;

**NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED** that the plaintiff take nothing, that the plaintiffs' claims and causes of action against defendant visiting Nurse's Association be dismissed on the merits, with prejudice, and that defendant Visiting Nurse's Association, formally known as Visiting Nurse Association of Wisconsin, Inc., 11333 West National Avenue, Milwaukee, WI 53227 recover its costs of this action.

Dated at Milwaukee, Wisconsin, this 12th day of December, 2007.

**SO ORDERED,**

s/ Rudolph T. Randa  
**HON. RUDOLPH T. RANDA**  
Chief Judge